

**WARRICK COUNTY BOARD OF COMMISSIONERS**  
**RESOLUTION NO. 2009- 7**

**A RESOLUTION JUNKING  
WORTHLESS PERSONAL PROPERTY**

**WHEREAS**, Warrick County is the owner of the following personal property:

**Eighteen (18) jail cells and Two (2) utility areas constructed of a combination of sections of One (1) inch iron bars and 3/16 inch steel plates which compose the ceilings and walls and are set on concrete floors**

[hereafter "subject personal property"]

**WHEREAS**, the Board of Commissioners has agreed to allow the Indiana Army National Guard access on the property commonly known as Warrick County EMS Station No. 2, 415 South Fourth Street, Boonville, Indiana 47601 (hereafter "real property") for the purpose of removing the subject personal property from the real property; and

**WHEREAS**, Indiana Code § 5-22-22-8 authorizes property that is deemed worthless to be demolished or junked, and property is considered worthless or of no market value if the value of the property is less than the estimated costs of the sale and transportation of the property; and

**WHEREAS**, the Board of Commissioners deem the subject personal property worthless because its value is less than the estimated costs for removal, sale, and transportation; and

**WHEREAS**, the Board of Commissioners deem it to be in the best interest of the citizens of Warrick County to junk the subject personal property and to allow the Indiana Army National Guard to remove the subject personal property.

**NOW, THEREFORE, BE IT RESOLVED** by Warrick County, by and through its Board of Commissioners:

Section 1: Warrick County Commissioners agree to allow the Indiana Army National Guard access on the real property to remove the subject personal property, on the terms and conditions set forth herein.

Section 2: Warrick County Commissioners agree to transfer the subject personal property to the Indiana Army National Guard.

Section 3: Warrick County Commissioners agree to hold Indiana Army National Guard harmless for any damage done to the real property or structures located on the real property resulting from the removal of the subject personal property.

Section 4: Indiana Army National Guard agrees to bear the entire cost associated with the removal and transportation of the subject personal property.

Section 5: Indiana Army National Guard agrees to hold Warrick County harmless if the subject personal property is lost, damaged or destroyed during the removal and transportation process.

Section 6: Indiana Army National Guard agrees to follow the Warrick County Commissioners Demolition Plan attached hereto as Exhibit A.

Section 7: Indiana Army National Guard agrees to fully and completely indemnify, defend and hold harmless Warrick County from and against all liabilities, claims, losses, costs or expenses, judgments, or penalties including attorneys' fees and court costs arising from any and all injuries incurred while removing and transporting the subject personal property.

Section 8: This resolution shall become effective upon the later of (1) its passage by the Board of Commissioners of Warrick County and (2) agreed to by the Indiana Army National Guard.

So resolved on this 13<sup>th</sup> day of MARCH, 2009.

WARRICK COUNTY  
BOARD OF COMMISSIONERS

Don Williams  
Don Williams, President

Timothy Mosbey  
Timothy Mosbey, Member

Art Noffsinger  
Art Noffsinger, Member

So agreed on this 6<sup>th</sup> day of APRIL, 2009.

INDIANA ARMY NATIONAL GUARD

Colonel Tim Warrick  
Colonel Tim Warrick, USPFO for Indiana,  
the Muscatatuck Urban  
Training Center Commander

Chris R. Kelsay

INARNG.

MOIC Commander.

ATTEST:

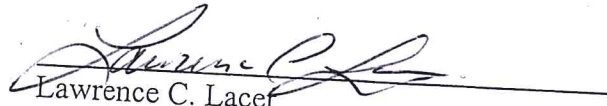
  
Lawrence C. Lacer  
Auditor, Warrick County, Indiana

Exhibit: A.

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WARRICK COUNTY PURCHASING  
107 WEST LOCUST STREET  
SUITE 310  
BOONVILLE, INDIANA 47601

November 26, 2008

Commissioners,

Old Jail Cell Demolition Plan

Phase I

The Indiana Army National Guard Unit (hereafter referred to as the GUARD) from the Muscatatuck Urban Training Center, Butlerville, Indiana, will be responsible for cutting an opening in the South wall of the Warrick County Old Jail Building (currently EMS Station No. 2) at 415 South Fourth Street, Boonville, Indiana, 46701. All brick, mortar, concrete blocks and, possibly, rebar should be removed from a section of the existing wall as designated or specified by the County. These materials shall be removed in this manner: starting from the floor and continuing to the roof of the structure and for the width of twenty-six (26) lateral feet (this size opening was selected because it can be utilized in the future for installation of: one -12' X 10' or two -12' x 10' garage doors; or, can be framed-in and finished as a traditional wall with a double wide utility door).

Phase II

The Guard will pile the debris created by the wall removal in an area designated by the County in the nearby general vicinity where it will not interfere with the Guard's execution and completion of the project.

Phase III

The jail cells located inside the structure and made accessible through the newly cut opening will be dismantled and removed from the building. The Guard will then load them onto their vehicles for transport back to the Muscatatuck Training facility in Butlerville, Indiana, for reassembly. This includes: all sections of iron bars, all sections of ¼" steel plate, all bunks, tables, toilets, sinks, control panels, functioning elements, plumbing (including pipes) and any electrical devices or fixtures deemed as functional parts of the system.



#### Phase IV

The Guard will be responsible for capping any severed sewer vent pipes, active natural gas or water lines. Every effort will be made by the County to try to shut-off or disconnect any of these lines before the project begins. The County will supply any caps required.

#### Phase V

Electrical wiring not considered as a necessary part (functioning element) of the Jail Cells and therefore not removed by the Guard, will be left behind and the responsibility of the County to remove or disconnect.

Electricity to operate the power tools of the Guard will be supplied by the County and, therefore, may not be disconnected while the project is being undertaken.

#### Phase VI

The Guard will make an effort to remove trash and debris created by the project. A dumpster will be supplied by the County and placed on-site.

#### Phase VII - Miscellaneous

The opening left in the wall by this project will be temporarily sealed by the County Maintenance Department or in whatever manner prescribed by the Commissioners.

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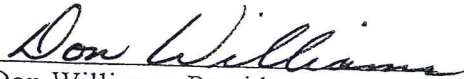
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INDIANA ARMY NATIONAL GUARD

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Training Center Commander

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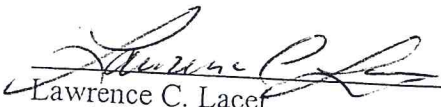
  
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